United Nations S/2012/890

Security Council

Distr.: General
23 November 2012

Original: English

Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 15 of Security Council resolution 2047 (2012), in which the Council requested that I continue to inform it of progress in the implementation of the mandate of the United Nations Interim Security Force for Abyei (UNISFA), and to bring to its attention any violation of the 20 June 2011 Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex). The report also provides an update on progress made in the implementation of the additional tasks mandated to UNISFA under Security Council resolution 2024 (2011) related to the Joint Border Verification and Monitoring Mechanism. In addition, the report provides an update on the situation in Abyei and on the deployment and operations of UNISFA since my previous report on the matter, issued on 27 September 2012 (S/2012/722).

II. Security situation

2. The security situation in the Abyei Area has remained calm but volatile. The force of between 120 and 150 Sudanese oil police continued to be deployed in the Diffra oil complex, in the northern part of the Abyei Area. Their presence and activities, while limited to the confines of the oil complex, are in violation of the 20 June 2011 Agreement as well as Security Council resolutions 1990 (2011), 2032 (2011), 2046 (2012) and 2047 (2012). No other unauthorized forces were present in the mission's area of operations.

3. With the rainy season beginning to abate, the 2012-2013 annual migration of Misseriya nomads through the Abyei Area commenced and proceeded without any significant security incident. On 22 October, the first groups of nomads, together with their livestock, entered the Abyei Area. As at 12 November, approximately 600 nomads, along with 30,000 animals, were present in the Area. The majority crossed through Farouk, Diffra and al-Askar and reached the Goli area; a small group also arrived in the Kajjam area. Throughout the migration, UNISFA has continued to interact with the leaders of the Misseriya and Ngok Dinka in order to facilitate its peaceful and orderly progression. In meetings with UNISFA on 29 October and 4 November, the leaders of the Misseriya undertook to resolve any possible disputes between their community and the Ngok Dinka through the community joint security committees and the Abyei Joint Oversight Committee. In response to a report

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received from members of the Ngok Dinka on 24 October that 108 of their cattle had been taken by the Misseriya from the Dokura area, UNISFA worked with Misseriya leaders to locate and return 80 of the cattle to the Ngok Dinka community.

4. On 1 November, UNISFA met with Ngok Dinka community leaders in Abyei town to discuss their concerns regarding the upcoming migration and the security of the returning internally displaced persons. The Force closely monitored the continued gradual return of displaced Ngok Dinka to areas north of the Kiir/Bahr el-Arab River. Since the beginning of the migration, UNISFA troops and military observers have conducted approximately 50 day and night patrols per day to prevent intercommunal incidents.

5. On 6 November, UNISFA patrols observed approximately 15 to 20 armed men, allegedly from a Misseriya rebel group, in the Um Khariet area. While the group has so far refused either to leave the area or to disarm, the Force is maintaining a strong security presence in the vicinity. In Noong, one of the northern Ngok Dinka settlements heavily affected by bombing carried out by the Sudanese Armed Forces in May 2010, approximately 40 new returnees have now been confirmed.

6. Commercial activity between the two communities increased during the reporting period. Despite the relocation of the Abyei town market to a new location, away from the mosque, the interactions between the two communities remain extremely tense and the risk of a trading dispute represent a serious security concern.

7. On 12 November, 19 Misseriya tribal leaders were attacked with stones by a group of 35 Ngok Dinka while travelling on a bus through Abyei town, from the local market to the mosque. Five of the Misseriya passengers sustained minor injuries, and all were given refuge within UNISFA headquarters. The following morning, a group of between 35 and 40 Ngok Dinka, including women and children, gathered outside the headquarters, in Abyei town, demanding the removal of the Misseriya from the headquarters. Following the mission's intervention, the crowd dispersed after having presented a letter to the UNISFA Head of Mission. After the incident at UNISFA headquarters, three larger groups of Ngok Dinka gathered in Abyei town. Approximately 200 people gathered outside the mosque. Following an attempt to damage the mosque, UNISFA troops prevented members of the group from advancing and fired shots in the air to disperse the crowd. Regrettably, one UNISFA national staff member was killed and one injured as a result of the violence. Both staff were off duty when the incident occurred.

8. Concurrently, a group of approximately 300 people gathered near the local market. Members of the group threatened to set the market on fire and attempted to attack a number of UNISFA vehicles in the vicinity. UNISFA troops successfully dispersed the crowd near the market. As a result of the tense security situation, the mission relocated to the local market all Misseriya traders present in Abyei town. Additional gatherings of Ngok Dinka at the mosque and the market, which UNISFA successfully dispersed, were reported on the evening of the same day. That same evening, the Misseriya chiefs decided to proceed to Diffra en route to el-Muglad, which they reached safely under UNISFA escort. The Force established checkpoints and monitored movements into Abyei. UNISFA leadership also met with Dinka and Misseriya representatives in an effort to defuse tension.

9. As noted in my previous reports, operations of the United Nations Mine Action Service remain suspended during the rainy season. The Ethiopian demining platoon

was maintained at full capacity to address threats posed by mines and unexploded ordnance. In addition, UNISFA, in coordination with humanitarian agencies, continued a concerted public information campaign to warn and educate the local population about the dangers of mines and unexploded ordnance.

III. Political developments

10. In an effort to implement the provisions of the African Union road map of 24 April 2012 and Security Council resolution 2046 (2012), representatives of the Governments of the Sudan and South Sudan, under the auspices of the African Union High-level Implementation Panel, held the last round of negotiations in Addis Ababa from 6 to 27 September. On 21 September, the Panel submitted to the parties its proposal aimed at resolving the final status of the Abyei Area. The proposal provides for the conduct in October 2013 of a referendum prepared by a commission under the leadership of a Chair nominated by the African Union. Eligible voters would be residents of the Abyei Area, while the referendum commission would ascertain voter eligibility and compile the voter roll.

11. While the Government of South Sudan accepted the Panel's proposal in its entirety, the Government of the Sudan rejected certain of its provisions, particularly the proposed terms regarding voter eligibility for the referendum and the language indicating that the Chair of the Abyei referendum commission would be an international figure appointed by the African Union, rather than a national of one of the two States.

12. On 24 October 2012, at its 339th meeting, the African Union Peace and Security Council received the recommendation of the African Union High-level Implementation Panel with respect to resolving the final status of Abyei and decided to endorse the request that the parties be given another six weeks to reach an agreement or accept its 21 September proposal. The Peace and Security Council also called on the parties to immediately implement the pending provisions of the 20 June 2011 Agreement and, in particular, to establish the Abyei Area joint institutions.

13. On 11 November, as a result of the decision of the African Union Peace and Security Council with respect to resolving the future status of Abyei, the South Sudan Co-Chair of the Abyei Joint Oversight Committee announced that the Government of South Sudan was ready to submit its decision regarding the list of nominees proposed by the Sudan to run the Abyei Area joint institutions. A Committee meeting had been called by the Government of South Sudan on 22 November to enable the parties to finalize decisions on this issue, but the Government of the Sudan requested that the meeting be further delayed.

IV. Status of the Joint Border Verification and Monitoring Mechanism

14. On 27 September, in Addis Ababa, the Governments of the Sudan and South Sudan signed, inter alia, a new agreement on security arrangements. The agreement reaffirms the commitment of the two States to renounce war and to implement all the security agreements and arrangements reached in previous negotiations.

15. In particular, the agreement provides for the operationalization by the parties of the Joint Border Verification and Monitoring Mechanism, in accordance with the administrative and security map presented to them by the African Union High-level Implementation Panel in November 2011. The agreement also provides for additional special arrangements for the establishment of the Safe Demilitarized Border Zone in the "14-mile" area, including the demilitarization of the area and the maintenance of traditional joint tribal dispute resolution mechanisms. These arrangements would be supported by the Joint Border Verification and Monitoring Mechanism, under the supervision of the Joint Political and Security Mechanism.

16. The Sudan and South Sudan also agreed to immediately activate the Ad Hoc Committee, which would be tasked with investigating cross-border allegations, and to immediately open 10 agreed border-crossing corridors. The modalities for the implementation of the agreement remain to be defined and agreed upon within the framework of the Joint Political and Security Mechanism. The Mechanism met in Juba from 5 to 7 November and made some progress towards that objective. It is to continue to finalize the modalities in a forthcoming meeting to be held in Khartoum.

17. The Sudan, South Sudan and UNISFA have deployed 32, 35 and 33 monitors, respectively, to the temporary headquarters of the Joint Border Verification and Monitoring Mechanism in Assosa, Ethiopia. During the reporting period, the Force continued with the integration, training and predeployment procedures in Assosa. It is anticipated that the Joint Border Verification and Monitoring Mechanism will operate in areas where landmines and miscellaneous unexploded ordnance are likely to pose a major threat. In addition, the United Nations Mine Action Service has been working with UNISFA on the finalization of a training schedule for national and international monitors with regard to landmine and unexploded ordnance safety, ammunition recognition, convoy drills and medical training ranging from basic first aid to emergency trauma bag courses.

V. Humanitarian situation

18. The pace of the return of displaced Ngok Dinka to areas north of the Kiir/Bahr el-Arab River remained steady during the reporting period. UNISFA observed that as at 12 November, approximately 13,500 displaced persons had returned, including more than 3,500 to Abyei town, out of the approximately 110,000 people who had fled their homes in May 2011.

19. As a result of significant rehabilitation efforts by the humanitarian community and UNISFA, water points have been established in most of the Abyei Area. Aid agencies and UNISFA are now working to establish much-needed networks to deliver water to resident communities and ensure access to water points in areas traversed by the Misseriya for their migration next year. The World Food Programme continued to provide emergency food assistance to 124,000 individuals in need, 70,200 of whom live in the Abyei Area. The Food and Agriculture Organization of the United Nations provided vaccinations for livestock.

VI. Protection of civilians

20. Apart from one report of cattle-raiding and the above-described incidents of 12 and 13 November in Abyei town, which UNISFA investigated and addressed with both the Ngok Dinka and Misseriya communities, no intercommunal conflict was reported in the Abyei Area during the reporting period. In addition, owing to restrictions on movement caused by the heavy rain and the fact that the subsequent start of the Misseriya migration has not yet, for the most part, reached areas in which the Ngok Dinka community is located, the interaction between the two communities has been very limited.

21. Nonetheless, in anticipation of the heightened security risks associated with the new migration season and the expected increase in the return of displaced Ngok Dinka, UNISFA has developed and begun to implement its new conflict prevention and mitigation strategy. UNISFA plans to create buffer zones to prevent the nomads and their animals from moving into areas populated by Ngok Dinka, and will work with other United Nations agencies to rehabilitate water points and ensure that the Misseriya nomads do not need to move into densely populated Ngok Dinka areas in order to find water. UNISFA will also maintain a robust military posture and a visible force disposition in volatile areas so as to be able to deter violence. The mission is in the process of reconfiguring company and temporary operating bases so that it can react swiftly to any potential threats, as well as enhancing its preventive capability through early warning actions such as securing corridors and access for nomads to water and grazing lands.

22. Finally, UNISFA will continue to interact regularly with the local communities, support actions to improve their welfare and strengthen the joint security committees. The Force has already installed a water tank in Abyei town and plans to assist in the refurbishing of other water yards along the migration routes. Furthermore, aid agencies are developing mechanisms for protection monitoring with logistical and security support from UNISFA, and the Abyei humanitarian team is developing contingency plans in the event of conflict-related displacement.

23. There were no new developments during the reporting period with regard to the operationalization of human rights monitoring in the Abyei Area, as called for in paragraph 10 of resolution 1990 (2011).

VII. Deployment

24. As at 31 October, the military component of UNISFA comprised 3,968 troops, out of its authorized strength of 4,200 (see annex I). The remaining 232 elements comprise those earmarked for deployment within the UNISFA air aviation unit, and military observers and staff officers supporting the Joint Border Verification and Monitoring Mechanism.

25. The UNISFA military component continued to be deployed in three sectors (see annex II). During the reporting period, however, most of the Force's troops were redeployed along the main roads, in view of the extensive deterioration of the supply routes resulting from heavy rain. The temporary operating bases that were formerly located at Um Khariet, Thurpader, Marial Achak, Tejalai, Dungoup, Korognal, Alal, Noong and Anthony have been relocated to permanent company operating bases at

Farouk, Diffra, Goli, Abyei town, Abyei highway, Dokura, Agok, Bantoum and Maniang.

26. The rainy season imposed heavy restrictions on the operational activities of UNISFA. The main road to Diffra was disrupted at Baloom, placing severe limitations on operational activities in Sector North. Within the existing constraints, UNISFA patrols continued to operate extensively with a mix of foot, vehicle-mounted and helicopter-borne patrols, both by day and by night. UNISFA patrols enjoyed complete freedom of movement within the mission's area of responsibility.

27. With the dry season approaching, UNISFA battalions carried out necessary reconnaissance and preparations for deployment at temporary operating bases, in order to ensure a safe migration season and a secure environment for the return of displaced persons. Currently, UNISFA patrols are evaluating the suitability and accessibility of possible deployment sites. In addition, close coordination is being carried out with the United Nations Mine Action Service to reverify routes proposed for use by troops.

28. Meanwhile, a senior police adviser from the Standing Police Capacity in Brindisi, Italy, was temporarily deployed to UNISFA during the reporting period. His work has been focused on conducting an assessment of the rule-of-law institutions in the Abyei Area, including police stations and traditional courts.

VIII. Mission support

29. During the reporting period, fresh food rations for the UNISFA military component continued to be airlifted to the Abyei Area from Wau, South Sudan, and, owing to the road conditions prevailing at this time of the year, to locations in northern Abyei Area and UNISFA deployment sites. As access routes began to dry out, the mission was preparing to repair necessary access roads. Meanwhile, it supported the work of the World Food Programme by providing one rub-hall warehouse in Abyei town for the storage of emergency food supplies.

30. UNISFA successfully completed its second troop rotation, of 1,057 Ethiopian troops. Currently, approximately 50 per cent of the Force's troops continue to live in tents. The transfer of 204 prefabricated containers for hard-wall accommodation and heavy engineering plant equipment from the African Union-United Nations Hybrid Operation in Darfur to the Abyei Area was completed during the reporting period. The tents have been distributed and erected. The engineering equipment has been employed for site preparation in Abyei and in a number of other locations, as permitted by ground conditions. Furthermore, from 7 to 10 October, with the assistance of the United Nations Mission in South Sudan, the Force conducted the reconnaissance of two possible locations of deployment for the Joint Border Verification and Monitoring Mechanism in Upper Nile State, South Sudan.

31. After the Government of the Sudan signed the UNISFA status-of-forces agreement on 1 October 2012, the Government of South Sudan signed a mirror agreement, on 20 November.

IX. Observations

32. The security situation in the Abyei Area remained generally calm during the reporting period. However, the incidents of 12 and 13 November in Abyei town illustrate that intercommunal relations are extremely tense. The risk of violence during the forthcoming migration season remains high.

33. The parties have yet to establish the joint administration institutions and the Abyei Police Service, which are key to the maintenance of law and order in Abyei town, the orderly resettlement of displaced Ngok Dinka and the management of the forthcoming Misseriya nomad migration. The continued presence of Sudanese oil police in Diffra remains a source of political dispute between the parties and the communities, as well as a violation of the 20 June 2011 Agreement and resolutions 1990 (2011), 2032 (2011), 2046 (2012) and 2047 (2012). In addition, the parties must continue with efforts to resolve their dispute over the future status of the Abyei Area.

34. It is essential that the parties maintain a spirit of constructive dialogue and compromise. The persistent differences over the establishment of the Abyei Area institutions and the operationalization of the intergovernmental task force on humanitarian assistance risk undermining efforts to facilitate the return and resettlement of displaced persons and a peaceful migration while attending to people's urgent humanitarian and social needs.

35. I encourage the Abyei Joint Oversight Committee and the local communities, through their influential traditional structures, to take on the primary role of addressing the above-mentioned challenges comprehensively and effectively, with support from UNISFA. In practical terms, the Committee should establish a permanent presence in Abyei with highly qualified and equipped specialized teams that will be tasked with addressing each of the numerous security challenges presented. The UNISFA Head of Mission and Force Commander, Lieutenant-General Tadesse Werede Tesfay, has already impressed upon the Sudanese and South Sudanese Co-Chairs the need for the Committee to assume primary responsibility for addressing these challenges, and they have concurred with him. For this purpose, the Co-Chairs have decided to hold consultations on how to approach the issue of intercommunity dialogue and reconciliation with traditional leaders from the Ngok Dinka and Misseriya communities prior to the next meeting of the Committee. UNISFA will make every effort to ensure that the Committee plays its part in helping to preserve and enhance peace and stability in the Abyei Area.

36. UNISFA is neither mandated nor has the capacity to address the growing law-and-order concerns in the Abyei Area. The scarcity of resources in the Abyei Area and increased contact between the two communities during the coming dry season are likely to make the situation in such locations as Abyei town even more volatile. UNISFA has thus far managed to keep tensions in check. However, the creation of a joint police force is essential to fill the security vacuum following the withdrawal of Sudanese and South Sudanese armed forces. It would also reduce the exposure of the local population and humanitarian actors to the potential risks posed by the activities of criminals. Lastly, it is my hope that progress in the development of local institutions will also result in an agreement on an alternative security arrangement for the oil complex in Diffra, thereby allowing for the withdrawal of the Sudanese oil police.

37. I commend the Governments of Sudan and South Sudan for the constructive spirit displayed during the negotiations in Addis Ababa, which resulted in the signing of nine agreements on 27 September. It is now crucial that the parties use the positive spirit created by the agreements on security and the common border in working for their full and expeditious implementation. The actual establishment of the Safe Demilitarized Border Zone and the operationalization of the Joint Border Verification and Monitoring Mechanism are critical immediate steps in this regard. I urge both Governments to take all measures necessary for the immediate operationalization of the Zone, the Joint Border Verification and Monitoring Mechanism and the Ad Hoc Committee during the next meeting of the Joint Political and Security Mechanism, which is expected to be held in Khartoum. As I have noted before, UNISFA is ready to support the activities of the Joint Border Verification and Monitoring Mechanism as soon as it has been operationalized.

38. Finally, I would like to extend my gratitude to the Government of Ethiopia for its unwavering support for UNISFA. I would like to thank my Special Envoy, Haile Menkerios, and the African Union High-level Implementation Panel, led by President Thabo Mbeki, for their sustained efforts to help the two parties resolve their persistent differences over the practical modalities for implementing the various agreements that they have signed. Moreover, I would like to extend my deep appreciation to the Head of Mission, Lieutenant-General Tadesse Werede Tesfay, and the staff of UNISFA for their tireless efforts to help restore normalcy to the Abyei Area, including by promoting reconciliation and peaceful coexistence among the various communities, often under very difficult conditions.

Annex I

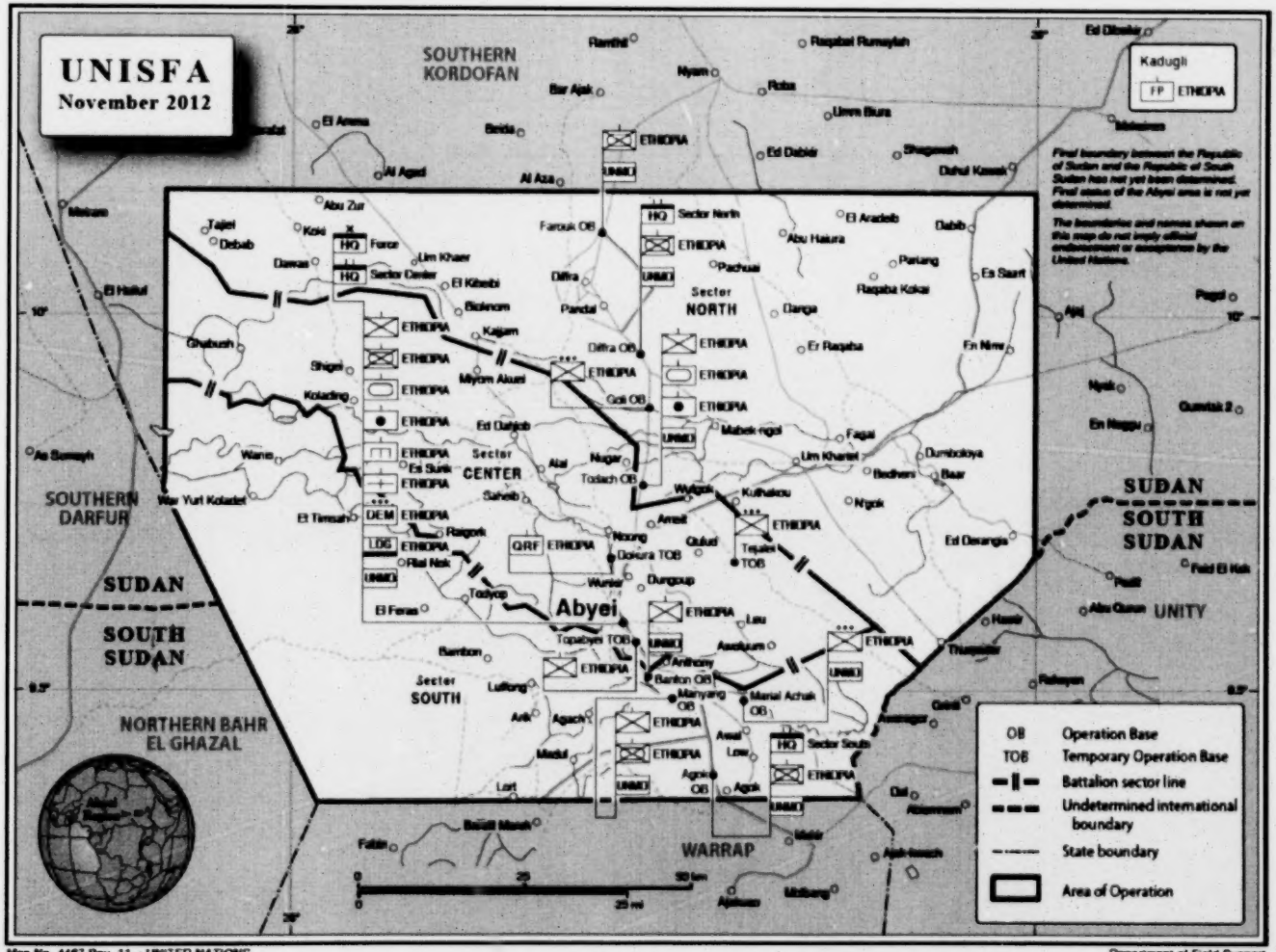
Composition of the military component of the United Nations Interim Security Force for Abyei, including the Joint Border Verification and Monitoring Mechanism

Country	*Description*	*Male*	*Female*	*Total*
Benin	Experts on mission	3		4
	Contingent troops	1		
Bolivia (Plurinational State of)	Experts on mission	3		4
	Contingent troops	1		
Brazil	Experts on mission	1		3
	Contingent troops	2		
Burundi	Experts on mission	1		1
Cambodia	Experts on mission	1		1
Ecuador	Experts on mission	1		1
El Salvador	Experts on mission	1		1
Ethiopia	Experts on mission	81	4	3 890
	Contingent troops	3 588	217	
Ghana	Experts on mission	3		5
	Contingent troops	2		
Guatemala	Experts on mission	2		3
	Contingent troops	1		
Guinea	Experts on mission	2		2
India	Experts on mission	2		4
	Contingent troops	2		
Indonesia	Experts on mission	1		2
	Contingent troops	1		
Kyrgyzstan	Experts on mission	1		1
Malaysia	Experts on mission	1		1
Mongolia	Experts on mission	1		1
Mozambique	Experts on mission	1		1
Namibia	Experts on mission	1		1
Nepal	Experts on mission	3		5
	Contingent troops	2		
Nigeria	Experts on mission	3		4
	Contingent troops	1		
Paraguay	Experts on mission	1		1
Peru	Experts on mission	2		3
	Contingent troops	1		
Philippines	Experts on mission	1		2
	Contingent troops	1		

Country	*Description*	*Male*	*Female*	*Total*
Russian Federation	Experts on mission	1		3
	Contingent troops	2		
Rwanda	Experts on mission	2		4
	Contingent troops	2		
Sierra Leone	Experts on mission	3		3
Sri Lanka	Experts on mission	5		6
	Contingent troops	1		
Ukraine	Experts on mission	2		4
	Contingent troops	2		
United Republic of Tanzania	Experts on mission	1		2
	Contingent troops		1	
Uruguay	Contingent troops	1		1
Zambia	Experts on mission	1		1
Zimbabwe	Experts on mission	2		3
	Contingent troops	1		
Total		**3 746**	**222**	**3 968**

Annex II

Map of the deployment of the United Nations Interim Security Force for Abyei



Map No. 4467 Rev. 11 UNITED NATIONS
November 2012 (Colour)

Department of Field Support
Cartographic Section